

## THE TOURIST EXTRADITED IS ACQUITTED

Chris Snyder, who was arrested immediately upon arrival at San Francisco in the steamer Manchuria last trip on a cabled request for smuggling opium in Honolulu, was acquitted by a directed verdict in the Federal court this morning.

Howard, the star witness for the prosecution as supposed, when brought upon the stand from jail, turned out to be a compelling witness for the defense. He testified that Snyder had nothing to do with the importation of opium for which he, Howard, is serving time under sentence following his plea of guilty.

Frank E. Thompson, counsel for Snyder, promptly, on this turn of the case, moved for a directed verdict of acquittal. It was useless in the circumstances for Assistant District Attorney Rawlins to oppose the motion, which was forthwith granted by Judge Clemons. Snyder was immediately discharged.

It was upon Howard's evidence before the grand jury that Snyder was indicted, to be arrested twenty-one hundred miles away and brought back to Honolulu in the same steamer that took him hence. Howard's prosecution for perjury is now inevitable.

## WITNESS WHO COULDN'T BE FOUND WAS IN THE DETECTIVES' OFFICE

Attorney Charlie Chillingworth and Deputy City and County Attorney A. M. Brown indulged in an exchange of compliments in the police court this morning, more than the usual amount of heat being introduced into the dialogue. It was one of the ordinary Monday morning cases, ten Chinese facing a charge of gambling as the result of a raid headed by Detective Sergeant Kellett on Sunday. The Chinese pleaded not guilty, but one of their number, Ah Fon, was relieved from the necessity of defending himself, his case being no longer pressed in order that he could take the stand against the rest.

Ah Fon told the court that he had gone to a room near the Chinese Theater, where he had played sup-chai with seven of the defendants, the other two being also present.

He pointed out one of the defendants who acted as boss of the game, and included them all as taking part. On cross-examining, Chillingworth questioned the spy closely as to what work he had done. Ah Fon said he was a poi-pounder and had worked in a poi factory in Liliha street since the poi-shops were closed.

Following the line of cross-examination, Chillingworth tried to pin the witness down to dates, how much he earned, who paid him, etc., but this brought an objection from Brown, who asked Chillingworth if he proposed to take the witness back to the date of his birth. Chillingworth ironically remarked that he was entitled to do so, but Judge J. M. Monsarrat cut in by directing Chillingworth to proceed.

The witness declared that he had not spoken to a police officer either before or after the arrests, and according to Sergeant Kellett, as far as he knew, none of the police officers had spoken to Ah Fon.

Chillingworth then wanted to know how the police picked Ah Fon out from

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## DR. CLARK SAYS PLANTATIONS MAY HAVE TO RAISE WAGES

Dr. Victor Clark, of the Bureau of Immigration, who arrived from Kauai yesterday, reports that the immigrants who arrived by the S. S. Oterle are working well and are apparently contented. They are working at Makaweli and Koloa.

He found that the shortage of labor on Kauai was more than normal, and stated that quite a number of Portuguese took passage from Kauai to Honolulu by the same steamer that he traveled on. There were also a good many Japanese.

The Portuguese, as is well known, keep on coming to Honolulu from all over the islands, in order to take passage to California, where wages are said to be much higher than those offered on the local plantations.

"The excess of departures over arrivals in normal months on Kauai," said Dr. Clark, "is nearly one hundred."

May Have to Raise Wages.

"There is no way in sight at present of meeting this condition unless wages are increased, and this is always a last resort with business men generally. It is a question if, at the present rate of wages, the plantations can maintain an adequate supply of labor, and present indications are that they are not quite doing this."

"A fall in wages elsewhere would relieve the situation, and contrariwise higher wages elsewhere would tend to make the situation more acute. We are a part of the great world's labor market and must take things as they come and do the best we can."

"Plantation laborers' conditions on Kauai are better than ever before, that is as regards housing, sanitation and the general treatment of laborers. It is true that wages are not so high as they were immediately after annexation but, on the other hand, living is much better."

## KAUAI ROADS COMPLIMENTED

Dr. Victor Clark was much impressed which he traveled while on Kauai and said with the splendid roads over had the following to say about them this morning:

"An instance of the value of good roads on Kauai is found in the fact that I was able to visit every plantation on Kauai in one day. It took me only a trifle over one hour to get to Kilauea plantation, the most northerly one on Kauai, from the landing at Nawiliwili."

"It was a pleasure to travel over

such roads. On the south side of the island they are almost perfect. There are a few short stretches between Lihue and Kekaha which are still unmacadamized but they are being worked on now. Oahu might well take a lesson from Kauai in the matter of the building and maintenance of her roads."

This morning's police court calendar was typical of a Monday morning with its forty-four cases. There were thirty-four gambling charges, one drunk, two violators of the rules of the road, three charges of assault, two of cruelty, one of threatening language, and one of assault with intent to murder. There were twenty-five Chinese, thirteen Japanese, five Hawaiians and one Korean figuring on the calendar.

## PARDON IS PROVED IN THE CUMMINS CASE

Oral and record evidence was produced before the Supreme Court this morning on the side of Hon. John A. Cummins, in his appeal from Auditor Fisher's refusal to issue a treasury warrant for refunding him, under an act of the Legislature, the \$5,000 fine imposed on him by the military commission of 1895.

Lorin Andrews obtained leave to introduce the evidence, as neither Mr. nor Mrs. Cummins could find any writing among the family papers to show that a pardon was granted to Mr. Cummins. Witnesses called were Mrs. Cummins, B. L. Marx, Geo. C. Potter and Judge H. E. Cooper. Mr. Marx was clerk of the executive council of the Republic of Hawaii, Mr. Potter chief clerk of the foreign office, and Mr. Cooper minister of foreign affairs on July 15, 1895. Minutes of the executive council of that date contained this entry:

"A motion was made and carried that the Cabinet recommend to the President the full pardon and restoration of civil rights of all persons convicted of being concerned in the insurrection of 1895."

The Book of Pardons was produced, showing a form covering the crimes of treason and misprision of treason, as the case might be, and in terms granting a full and free pardon and restoration to civil rights. It was by Sanford B. Dole, President of the Republic of Hawaii, as grantor in the first person, also signed by him and countersigned by Henry E. Cooper, minister of foreign affairs. A list of names followed the form, in which the name of John A. Cummins appeared.

Previously, as before reported, the court had called in counsel on both sides to present additional argument on the point, raised by the court itself, as to whether the act of the Legislature appropriating the refund of the fine was a usurpation of the pardoning power. What bearing the proof of pardon emanating from the constitutional fountain of pardons may have upon that point may be seen when the court renders its decision.

## ANOTHER RULE OF THE HEALTH BOARD DEFIED

John F. Colburn has invited President Mott-Smith of the board of health to a fishing-party to be given this afternoon at Kailihikai on the property of the Kapolani Estate, commencing at 2 o'clock.

Mott-Smith expressed his pleasure to a newspaperman, this morning at being invited but regrets that he will be unable to indulge in the sport in person. He has, however, handed over the invitation to another attaché of the board, who is an ardent disciple of Isak Walton.

In other words Colburn has notified Mott-Smith that he intends to fish in the proscribed area at 2 p. m. today and asks for representatives of the board of health to be present in order that a test may be made.

The board of health men will be on the spot and on their information warrants will be sworn out and the violators of the regulation arrested.

The point raised by Colburn is that while fishing is allowed on the adjoining property of Hon. Sam Damon, it is prohibited on the property of the Kapolani Estate, and discrimination and favoritism are urged.

On the tide-waters in question shrimps are caught which are used for bait in the catching of Aka, kawakawa and other deep sea fish.

## MAYOR FERN WILL FIGHT NEW LAW AND ANOTHER MUNICIPAL DEADLOCK IS DUE NEXT MONTH

The supervisors are sharpening an axe for use on the official head of Road Supervisor Wilder on June 20—the day on which goes into effect the new law which was passed by the Legislature of this year to take from the mayor various powers of appointment, including that of road supervisor, and give the powers to the supervisors. Wilder has just fired Bookkeeper Anderson from the office of the road supervisor, following well defined rumors that Anderson had signed a Republican precinct roll. The fact that Wilder happens to be a Democrat may have no bearing on all this, but the Republican board of supervisors is anxiously awaiting the first of July, when the axe can be used on Wilder if the new law holds out, while in the meantime various Democratic leaders are prepared to go into court and show that the new law isn't constitutional.

Would Reinstall Anderson.

The result promises to be another deadlock in county business, similar to that which occurred at the start of the municipal system. The Republican board proposes to exercise the authority given it by the Legislature, to make appointments, and to remove the mayor's appointees, chief among them being Road Supervisor Wilder. The plan is practically to abolish the office of road supervisor, and place the whole road department under the management of the city and county engineer. And in course of carrying out this plan, it is rumored, Anderson will be given back the job from which Wilder has just fired him, or a job very much like it, as a reward for signing a Republican roll.

Where Is Anderson?

Anderson was asked this morning if the report was true that he had signed a Republican roll. He de-

clined to make any answer to the question, and finally remarked, jokingly, that he was now a Home Ruler. Anderson was candidate on the Democratic ticket last fall for city and county auditor.

### Fern Will Fight.

As the situation now stands Wilder has fired Anderson, the board is waiting for July 1 to fire Wilder and put back Anderson, and Mayor Fern is said to have high legal assurances that he needn't worry about the legislative act to take away his powers, for Democrats intend to knock it out. In that event Wilder, by virtue of his appointment, may hold on, and the alleged plan to put Anderson back will fall down.

## OUT WITH THE NEW POLICE DOG

Chief Detective McDuffie, Officer Bergau and the police dog set out for Tantalus this morning in an endeavor to locate the man who is suspected of having burglariously entered Mrs. Howard's house on Beretania street. The rest of the force went up in advance of the chief to scour the hill. They were arrayed in regulation brush clothes.

The delivery of rock by the Honolulu Construction & Draying Company is maintained by a complete transportation system. Promptness in this respect, combined with the superior product of the crusher, is responsible for the continuous demand for the No. 2, 3, and 4 crushed rock the company sells.

## REPRIMAND FOR DISCRIMINATION AGAINST A JEW

(Associated Press Cable to The Star.)

WASHINGTON, June 5.—Colonel Garrard, U. S. A., has been reprimanded by the Secretary of War by order of the President for reporting against the application of a Jewish private for examination for promotion.

Colonel Joseph Garrard is commander of the Fifteenth Cavalry.

### TAFT AND THE SUGAR TRUST.

WASHINGTON, June 5.—President Taft will place all the Government's information about the sugar trust in the hands of the investigating committee.

### RECIPROCITY STRAIGHT.

WASHINGTON, June 5.—The President is strongly opposed to the amendment of the Canadian reciprocity measure.

### LUMBER TRUST IN DANGER.

CHICAGO, June 5.—Judge Kenesaw M. Landis has empanelled the Federal grand jury to investigate the lumber trust.

### STRIKE IN BUILDING TRADES.

VANCOUVER, June 5.—Thirty-five hundred workmen in the building trades have struck.

### OHIO BRIBERY CASES.

COLUMBUS, O., June 5.—Eight men have been indicted for legislative bribery. Representative Evans pleaded guilty and was fined. He became a grand jury witness.

### BRITISH STEAMER ASHORE.

YOKOHAMA, June 5.—The British steamer St. Hugo is ashore off the harbor.

## AUSTRALIAN THEATRICAL CONCERN MAY ENTER THE HONOLULU FIELD

There is a possibility that one of the biggest Australian vaudeville concerns will open up a theater in Honolulu before the end of the year. A representative is here now, and he is looking over the sites available in order that he may give full information to Messrs. Brennan, his principals.

At present the Brennan family get their talent from the United States for their Australian circuit. This has led to the suggestion that a season of, say two weeks, could be played here by each artist or team en route to the Antipodes. The people would arrive here about three weeks before the Australian boat left, play their season, and then catch the steamer. This would work both ways, for the people returning to their homes on the Coast could also stop here two weeks, and thus the supply would be continuous. If this idea is carried out, Honolulu can rely on shows far better than they have ever seen here. It is claimed, for the Brennan houses stand high in Australia.

The only thing that is worrying the representative here is the lack of a good building. The Auditorium appeals to him, even in its present unfinished state, for he considers that if the original idea is carried out it will be an ideal theater. The stage is large, the biggest, in fact, in Honolulu, there are plenty of dressing rooms, and what will appeal to a successful company is the great seating capacity, for it will hold fully 1,700 people. This would not be a bit too large for the class of show that would be submitted, and the stage would permit of any act being shown to the best possible advantage.

Pictures, of course, will be shown, and it is said that special arrangements in this connection can be made. There are many picture shows throughout Sydney alone, and the amount of reels imported into Australia from the United States has grown to enormous proportions. This in addition to the number from the Continent direct, while all the principal Australian events are "caught" by the cinematograph. The world's champion boat race and the famous Melbourne cup are two, to say nothing of many other events that have a world-wide interest, and are not confined to the British Empire alone. Again Australian scenery will compare favorably with any in the world, and the educating influences of travel are contained, in some degree, even in an animated picture.

The idea has appealed to the representative making the inquiries and his opinion will undoubtedly carry great weight with Brennan. With the Australian boats calling at New Zealand instead of at Brisbane, Queensland, there will be a greater scope for American artists, for they can take in a season in the northern parts of the Dominion without having to pay the additional fares between Australia and Maoriiland. New Zealand is entered for by Fuller, and it is probable that with Auckland as a port of call Fuller may take many of the artists under a reciprocity agreement, such as are frequently drawn up between Australian and New Zealand managers.

The cost of completing the Auditorium, the seating capacity, and just exactly what has been done, and what requires to be done, will be laid before Brennan on the return of the representative to Australia by the Marama, leaving here on June 23.

## BATHING AND FISHING REGULATIONS

President Mott-Smith of the board of health stated this morning in answer to a question that he didn't know how long it would be before the swimming and fishing restrictions were removed from the harbor and the surrounding reef.

He doubts whether the board has authority to put restrictions on swimming and fishing except in cases of a prevailing epidemic.

The question therefore arises as to whether an epidemic can be construed as fish at the sewer out-fall or to fish with being prevailing, and this, of course, a net in the harbor."